

REMARKS

Reconsideration of the application is requested.

Claims 12-20 and 23-25 are now in the application and are subject to examination. Claims 12, 23, and 24 have been amended. Claim 25 has been added. Claims 21 and 22 have been canceled herein to facilitate prosecution of the instant application.

Under the heading "Specification" on page 2 of the above-identified Office Action, the Examiner required a new abstract.

A new abstract has been provided on page 2 of this response.

Under the heading "Claim Rejections – 35 USC § 102" on page 2 of the above-identified Office Action, claims 12-16 and 24 have been rejected as being fully anticipated by U.S. Patent No. 5,606,323 to Heinrich et al. under 35 U.S.C. § 102.

Claim 12 has been rewritten to include most of the limitations of now-cancelled claims 21 and 22. Claim 24 has also been rewritten to include similar limitations. Support for the changes can be found by referring to claims 21 and 22. Claim 25 has also been added. Support for the added claim can be found by referring to claims 21 and 22 and to the translated specification at page 13, line 13 through page 14, line 27, with reference to Fig. 5.

Claims 21 and 22 have not been rejected as being anticipated by this reference so it is clear that the Examiner recognizes that Heinrich et al. do not show the features of claims 12 or 24 as now written or of claim 25.

Under the heading "Claim Rejections – 35 USC § 103" on page 3 of the above-identified Office Action, claims 17-23 have been rejected as being obvious over U.S. Patent No. 5,606,323 to Heinrich et al. in view of U.S. Patent No. 6,438,193 B1 to Ko et al. under 35 U.S.C. § 103.

Even if one of ordinary skill in the art were to combine the teachings of the cited references in some manner for some reason, the invention as now defined would not have been obtained.

Applicant respectfully believes that Ko et al. do not even teach splitting an original alternating quantity into a first alternating quantity and a second alternating quantity.

The alternating signal 442 from the piezo element 440 is provided to both the power circuitry element 450 and to the signal processing circuit 460. The power circuitry element 450 does not change the alternating signal from the piezo element 440 into another alternating signal, but rather rectifies the alternating signal to produce a DC voltage (See Fig. 5 and column 10, lines 45-64, for example).

Further, Ko et al. do not teach that the DC voltage from the power circuitry element 450 (allegedly providing a first alternating quantity) and the pulses provided from the signal processing circuit 460 (allegedly providing a second alternating quantity) are separately and differently influenced by a measured quantity. Applicant believes that claims 12 and 24 are not obvious over the cited prior art.

New claim 25 is patentable for similar reasons as discussed above. The prior art does not show or suggest a first filter for splitting the original alternating quantity into a first alternating quantity influenced by a measured quantity; and a second filter for splitting the original alternating quantity into a second alternating quantity influenced by the measured quantity separately and differently from the first alternating quantity. Nor does the prior art show or suggest two reflectors modulated by the alternating quantities.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 12, 24, or 25. Claims 12, 24, and 25 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 12.

In view of the foregoing, reconsideration and allowance of claims 12-20 and 23-25 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

Respectfully submitted,

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